

## Trial Court Funding – Maintenance of Effort (MOE)

### DESCRIPTION OF MAJOR SERVICES

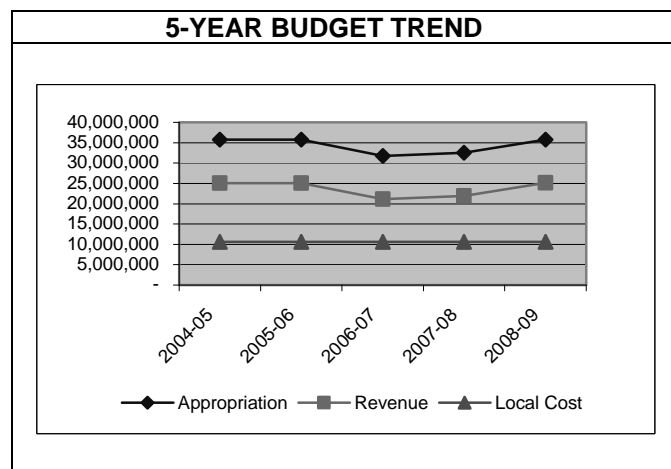
On January 1, 1998, AB233, the Lockyer – Isenberg Trial Court Funding Act of 1997 went into effect in the State of California. This bill fundamentally changed how the trial courts are funded by transferring primary responsibility for funding the courts to the state, including sole responsibility for funding future growth in court operations costs. In addition, it requires counties to make a capped maintenance of effort (MOE) payment to the state each year for operations of the courts. In return, the state allowed the counties to retain many fines and forfeitures to help fund their MOE payments with the provision that collections that exceed the amount of the revenue MOE be shared equally between the state and the county. Of the remaining one half of excess revenue retained by the county, 25% is transferred to the Courthouse Facility special revenue fund to assist with costs of the seismic retrofit/remodel of the central courthouse.

The county's historical MOE contribution of \$28,390,295 was made up of two components. The expenditure component of \$20,227,102 represented the adjusted 1994-95 county expenses for court operations and the revenue component of \$8,163,193 was based on the fine and forfeiture revenue sent to the state in 1994-95. The revenue component has been reduced to \$3,325,704 in 2006-07 due to legislation enacted in recent years. Therefore, the county's current MOE contribution is \$23,552,806.

Other legislation mandated that beginning in 2003-04, all California counties contribute an additional payment to the state toward court funding. The payment was intended to help the state during its budget crisis and was in lieu of the state taking counties' various undesignated revenues, which would be a much higher amount. San Bernardino County's share of the undesignated fee transfer obligation was \$727,264 in 2005-06, \$545,499 in 2006-07 and \$363,632 in 2007-08. 2008-09 is designated as the final year that this fee transfer obligation payment will be made by the counties.

There is no staffing associated with this budget unit.

### BUDGET HISTORY

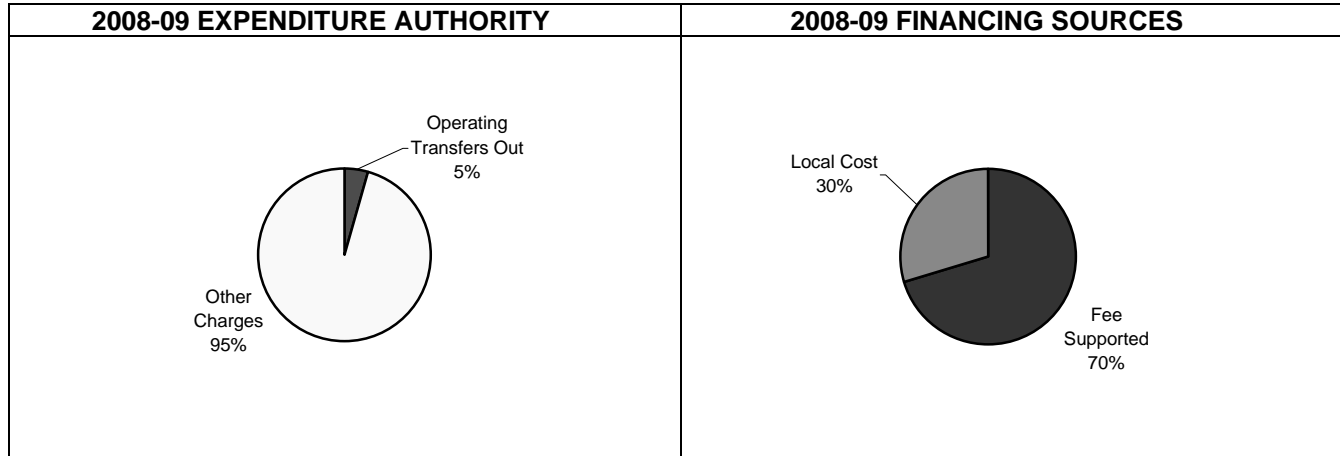


### PERFORMANCE HISTORY

	2004-05 Actual	2005-06 Actual	2006-07 Actual	2007-08 Modified Budget	2007-08 Actual
Appropriation	35,890,577	31,973,487	35,361,084	32,550,674	31,579,590
Departmental Revenue	28,238,674	23,955,215	25,519,243	21,924,184	24,600,117
Local Cost	7,651,903	8,018,272	9,841,841	10,626,490	6,979,473

Local cost for 2007-08 is under budget primarily due to an increase in revenues from fines and fees collections.

## ANALYSIS OF FINAL BUDGET



GROUP: Law and Justice  
 DEPARTMENT: Trial Court Funding - Maintenance of Effort  
 FUND: General

BUDGET UNIT: AAA TRC  
 FUNCTION: Public Protection  
 ACTIVITY: Judicial

	2004-05 Actual	2005-06 Actual	2006-07 Actual	2007-08 Actual	2007-08 Final Budget	2008-09 Final Budget	Change From 2007-08 Final Budget
<b>Appropriation</b>							
Other Charges	34,617,482	30,498,334	33,721,402	30,046,960	30,850,674	34,036,490	3,185,816
Total Appropriation	34,617,482	30,498,334	33,721,402	30,046,960	30,850,674	34,036,490	3,185,816
Operating Transfers Out	1,273,095	1,475,153	1,639,682	1,532,630	1,700,000	1,700,000	-
Total Requirements	35,890,577	31,973,487	35,361,084	31,579,590	32,550,674	35,736,490	3,185,816
<b>Departmental Revenue</b>							
Fines and Forfeitures	8,213,531	9,756,309	10,818,093	11,112,145	9,280,684	10,410,000	1,129,316
Current Services	20,025,143	14,198,906	14,701,150	13,487,972	12,643,500	14,700,000	2,056,500
Total Revenue	28,238,674	23,955,215	25,519,243	24,600,117	21,924,184	25,110,000	3,185,816
Local Cost	7,651,903	8,018,272	9,841,841	6,979,473	10,626,490	10,626,490	-

Other charges of \$34,036,490 represent the estimated payment to the state in 2008-09 for the county MOE contribution, the undesignated fee transfer obligation and the state's 50% share of excess revenues. This number is higher than the prior year due to an anticipated increase in fines and forfeitures collections.

Operating transfers out of \$1,700,000 reflect the transfer of 25% of the county's share of estimated excess revenues to the Courthouse Facility special revenue fund.

Revenue collections are expected to increase based on recent growth trends to a total of \$25,110,000. Fines and forfeitures include revenues from traffic and criminal fines as well as penalty assessments. Current services revenue includes vital statistic fees, civil filing fees, traffic school, and recording fees.

